

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**JASON R. MUCHA,**  
Plaintiff,

v.

Case No. 14-C-0303

**CITY OF MILWAUKEE EMPLOYEES'  
RETIREMENT SYSTEM,**  
Defendant.

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**DECISION AND ORDER**

In a prior order on the defendants' motion for judgment on the pleadings, I dismissed some of the plaintiff's claims and allowed others to proceed. The claims I allowed to proceed included claims for violation of 42 U.S.C. § 1983 against police officers Jutiki Jackson and Donald Gaglione. These defendants took an immediate appeal of my decision to deny them qualified immunity. The Seventh Circuit reversed the denial of qualified immunity and remanded the case with instructions to dismiss Jackson and Gaglione.

While the appeal was pending, the remaining defendant, the City of Milwaukee Employees' Retirement System ("ERS"), filed a motion for reconsideration of my decision not to dismiss the plaintiff's claim against it for violation of Wis. Stat. § 51.30. I have considered the arguments made in that motion and see no grounds for reconsidering the original decision.

Accordingly, **IT IS ORDERED** that the plaintiff's claims against defendants Jackson and Gaglione are **DISMISSED**.

**IT IS FURTHER ORDERED** that defendant ERS's motion for reconsideration is **DENIED**.

Dated at Milwaukee, Wisconsin, this 13<sup>th</sup> day of August, 2015.

s/ Lynn Adelman

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LYNN ADELMAN  
District Judge